G.R.S. IX—5]

Previous references.
G 7 208-21 & 2+4
& 5-22 & 1+17

1922.
(G7)

File No. 5-22

Serial Nos. 31 & 48

Later references.
G. 7. 17-23-(66-71)
G. 7. 17-23 (75-87)
G. 7. 7-24-1+12.

Preserve
(MW 2.11.63

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 2

P2 8-E

Part B for May 1923

SUBJECT.

Renewal of 7 p.c. State Loan Bonds

H 5368 d 29.5.1923 to the Comptroller
Sanction the proposals of the Comptroller

BM 2/6/23

Printed on the Multigraph.

33193

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

DIARY NO. 3115

In reply please refer to No. 3941 SL

1922 - 1923
Section. G.3
File No. 5-22

Comptroller's Office, Bangalore,

Dated the 9 March *1923.*

G.7
5-22

Rajakaryaprasaktha.

M. N. Krishna Rao Esq., B.A., 3/
Secretary to the Government of Mysore,
Bangalore.

Sir,

Adverting to Government orders No.Fl.2439/GF 20 -21 dated 2nd December 1922 sanctioning the renewal of 7% bonds of the value of ₹ 12,550/- originally issued in favour of the late Mr. M.K.Krishn Iyer of Coimbatore on the authority of the Collector's certificate and No.Fl.2229/G.F.5-22 dated 22nd November 1922 authorising the renewal of 7% bonds issued in favour of Mr. H.M. Parekh in the name of Jadav Gokaldas Parekh on the authority of the certificate granted by the District Judge, Ahamadabad, I have the honour to state that similar applications for renewal of bonds belonging to deceased holders of Mysore Loan bonds from persons outside the State are being received. The Treasury Officer, Benares has forwarded to this office for renewing in the name of one Mr.B. Shrinath Sah 7% bonds for ₹ 10,000 standing in favour of the late Babu Radha Charan Sah together with the certificate granted by

the District Magistrate, Benares. I solicit orders of Government to renew the bonds as the case is identical with those quoted above.

I also request that general orders of Government may be obtained for my renewing such bonds when the applications for renewal are supported with certificates granted by Magistrates outside Mysore, taking as usual an indemnity bond with two sureties.

I have the honor to be,
Sir,
Your most obedient servant,

T. Satyanarayana

Comptroller.

CV/8-3

9/3

G. R. S. III—3]

ROUTINE NOTES.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

~~It~~ provision has been made in the amending Regulation to be rebroadcasted shortly —*

vide page 2 of S.D. file 208-21-

A draft sanctioning the Completion

D

N. B.—Should routine notes be written on small slips the notes must be copied, or slips pasted on this form.

3456

G. R. S. III-2]

General and Revenue Secretariat.

File No. 5 of 19 22

Serial No.

proposal is put up for approval or sanction

Sd/- 12.3 13 Secy)

47

K.W.C.98-1922

18 16.3.1923.

346:5

Sd/- 3.1923

G.O. No. 147/M.23

22.3.23.

Forwarded to the Govt Advocate for favour of opinion as to whether the procedure ~~procedure~~ proposed by Comptr. and followed in individual cases so far, may be authorised as a general arrangement — Sd/- Secretariat 16.3.23.

Under the Hindu Law any bonds in which all the members of the family (if undivided) are interested, continue to be joint family property, by operation of the right of survivorship, after the death of the member in whose name the bonds stand. The provisions of the Succession Certificate Regulation or of the Probate and Administration Regulation do not apply to such cases they apply only to cases of the separate property of the individual member concerned.

But very often it is difficult

NOTE—Contn. sheet.

difficult to ascertain if a promote forms part of the joint property of the family of which the deceased was the holder or was his own separate property - and this difficulty is, in practice, got over by insisting on the production of a Succession Certificate or a Probate or Letters of Administration, as such a document of title secures to Government protection in respect of payments made to the person or persons mentioned in such document, against the claims of other persons coming forward as the legal representatives of the deceased holder.

Another course usually adopted in such cases is to call upon the person who in the opinion of the authorities concerned has a prima facie title to the promote as the nearest heir or legal representative, to furnish the security.

If the title to the notes is not disputed - a certificate from the District Magistrate of the District in the prescribed form

is considered sufficient Evidence in British India in the case of Managers of Joint-Hindu families (vide para 60 of the Government Securities Manual). But there it is a course which is recognized and prescribed by Statute, as S. 12 of the Indian Securities Act provides for such a course.

A provision similar to the above appears to be necessary in Cyprus as otherwise there is always the danger of some unexpected claimant springing up to contest or question the title of the person to whom payment might have been made.

Till such a provision is made ~~the~~ ~~possible~~ precautions will have to be taken - particularly by taking indemnity bonds from the person or persons concerned (Inter alia etc).

So long as such precautions are taken I do not see any reason why the procedure that is now being adopted in individual cases should not be adopted generally in all cases.

W Shaubeneff
Govt Actuary &c

G. R. S. III-2]

4853

General and Revenue Secretariat. | File No. | of 19

Serial No.

Subd with reference to Fl Secys note of 16-3-23 above. The including of a provision similar to that in the British Securities ~~Act~~ Act in the Mysore Regulation is ~~under consideration~~ proposed in the new Securities regulation which is under consideration in the Legislative Branch.

Fl Secy 23/3/23

The point is if Certificates given by Govt Indian Magistrates can as a general rule of practice be accepted in support of bicarriers of Securities in the names of deceased holders. The opinion of the Legs Dept is requested.

24.3.23

Opinion of the Govt Advocate is on record. The Certificate is accepted in British India & may be accepted here, but to be on the safe side, it is better to insist on Security being furnished, and to prescribe some period of limitation for the real claimant, if any, coming in with his claim against Govt for any

NOTE—Contn. sheet.

Serial No.

payment made to a wrong person till law to this effect is passed, there is some risk in accepting such certificates; but that risk is minimised if security is insisted upon. As a matter of convenience to parties, acceptance of such a certificate is desirable. Otherwise it will be necessary for them to produce a succession certificate or letters of administration Chances of mistakes in the grant of such certificates are rare.

Asst Secy) car 7-5-

Secy) 8/5 car 8/5

Dy Secy)

The Comptr may be authorised to renew bonds in favour of heirs of deceased holders on the certificates of Dt Magistrates in British India supported by Indemnity Bonds with Sureties. The early amendment of the Securities Regs on the lines of the similar law of the Govt of India is necessary and the Legislative Branch will be requested to take prompt action.

Dewan) 12.5.28

DEWAN'S OFFICE
Recd. on MAY 14 1928
Reg. No. 6661

NOTE—Contn. sheet.

G. R. S. III-2.

General and Revenue Secretariat.

File No. of 19

Serial No.

Agree with the recommendations of the Treasury

16.5

Some orders and send file to Legislature Branch for the Bill

22/5/23

Issued. To compln: No 3e 5368 D: 29.5.23

sanctions Comptroller's recommendation to renew the bonds in favour of the heirs of deceased holders on the certificate of Dt magistrates in Bo. India.

To Legislative branch for note)

Draft-ordin on the lines of the British Indian Act has been prepared & has been sent to the Comptroller for opinion & views.

29/5/23. Asst Secy with compliments

Please record this & send copies of the Secy note of 11.5.23, Dewan's order & Legs Branch's note also to Compln to ascertain when the Bonds Bill will be introduced in the Legs Council.

4/6/23

NOTE—Contn. sheet,

G.R.S. VI–71]

SUBJECT.....

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.....

Diary No. of letter replied to.....

General and Revenue Secretariat

( )

, *the* , *191* .

Date of issue 29.5.23

Signed by Mr. R.R.

May this be

i Printed ?

ii treated as a standing order ?

ii published in the Gazette, English Part ?

iv translated ?

v placed at the disposal of the press ?

vi published in the Gazette Kannada Part ?

Section G.F

File No. 5-22.

Serial No. 48.

Proceedings of the Government of His Highness the Maharaja of Mysore.

Read— Letter no JC 2229 G.F 5-22 ~~2439/G.D 208-21~~ ~~dated~~ dated 22nd Nov 1922 authorising the renewal of 7% bonds issued in favour of H.M. Parekh in the name Jadav Gokaldas Parekh on the authority of the certificate granted by the Dist judge Ahamedabad

Order thereon No 29 Letter no. 3941 82 dated 9th March 1923 from the Comptroller stating that the Treasury Officer Benares has forwarded to his office for renewing in the name of

one ma B Shrinath Sah 7% bonds
for Rs 10,000/- standing in ~~my~~ favour of
the late Baboo Radha Charan
Sah together with the certificate
granted by the Dist Magistrate
Benares. and soliciting orders
to renew the bonds as the case
is identical with that ~~case~~
referred to in the order read
above and requesting
general orders for his renewing
such bonds when the appli
cations for renewal are
supported by certificates
granted by Magistrates
outside mysore taking as
usual an indemnity bond
with two sureties

Order no. 71-5368/G.7-5:22-48. ~~List~~ of enclosures.

The comptroller's proposals
are sanctioned

15/3/23 For Offg Secy
17/3.

To. Comptroller

Copied by

Examined by

WD 1744—GPB—30,000—17-3-19